

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ANDRE R. DEGARZA,

Plaintiff,

VS.

CITY OF HOUSTON

and

KAREN SINGER,

Defendants.

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ACTION NO. 05-MC-0349

MEMORANDUM AND ORDER

On March 31, 2006, this Court ordered Plaintiff to submit proof of service within ten (10) days. Plaintiff failed to comply with that Order. Accordingly, and pursuant to FED. R. CIV. P. 4(m), this case is hereby **DISMISSED WITHOUT PREJUDICE TO REFILING.**

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 12th day of April, 2006.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**